



STATE OF DELAWARE  
PUBLIC SERVICE COMMISSION  
861 SILVER LAKE BLVD.  
CANNON BUILDING, SUITE 100  
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500  
FAX: (302) 739-4849

July 10, 2014

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Gerard Esposito  
Tidewater Utilities Inc.  
1100 South Little Creek Road  
Dover, DE 19901

Re: IN THE MATTER OF THE COMPLAINT FILED BY DANA DEMBROW  
AGAINST TIDEWATER UTILITIES, INC. CONCERNING DISPUTED  
BILLING CHARGES FOR BILLING PERIOD OCCURRING FROM  
OCTOBER 2013 THROUGH JANUARY 2014 IN THE AMOUNT OF  
\$1,825.20 (FILED APRIL 30, 2014 AND AMENDED JUNE 30, 2014)  
PSC COMPLAINT DOCKET NO. 400-14

Dear Mr. Esposito:

On June 30, 2014, Dana Dembrow filed with the Delaware Public Service Commission an amended formal complaint against Tidewater Utilities, Inc. ("Tidewater") under §2.3 of the Commission's Rules of Practice and Procedure (26 DE Admin. Code. §1001-2.3). The complaint has been docketed as PSC Complaint No. 400-14.

Pursuant to §2.3.2 of the Commission's Rules of Practice and Procedure, I am, with this letter, formally serving you with a copy of this complaint. Under §§2.3.2 and 2.4.1 of those Rules of Practice and Procedure, Tidewater is required to file an Answer to the complaint with the Commission within twenty (20) days after receipt of the complaint. Tidewater must serve a copy of that Answer on the complainant and also serve an additional copy upon the Division of the Public Advocate. The submitted Answer should conform to the requirements of §§1.6, 1.7, and 2.4 of those Rules of Practice and Procedure. Please consult those Rules (26 DE Admin. Code 1001) for additional requirements that may be applicable.

Mr. Gerard Esposito

July 10, 2014

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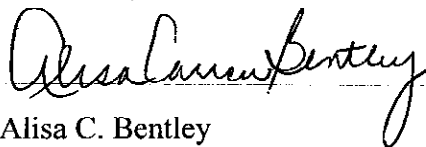
The service of this complaint and the directive for an Answer does not reflect any decision by the Commission on the merits of the complaint.

If the complainant and the respondent reach an agreement resolving this complaint, the parties should then file the statement required by §2.5.1 of the Commission's Rules of Practice and Procedure.

Pursuant to §1.6.5 of the procedural rules and 29 *Del. C.* §8716(e), I have also caused a copy of this formal complaint to be forwarded to the Division of the Public Advocate.

Finally, pursuant to 26 *Del. C.* §114(b) (1), Tidewater is hereby placed on notice that the costs of this proceeding shall be charged to it.

Sincerely yours,

A handwritten signature in cursive script, reading "Alisa C. Bentley".

Alisa C. Bentley  
Secretary

Enclosures (copy of Complaint)

Certified Mail Certificate 000258162961

cc: PSC Complaint Docket No. 400-14

Dana Dembrow, Complainant

Regina Iorii, Esquire, Div. of the Public Advocate (w/encl)

David Bonar (w/encl)

Members of the Commission (w/encl)

A. Bruce O'Connor (w/encl)

Julie "Jo" Donoghue, Esquire (w/encl)

Matthew Hartigan (w/encl)

Jerry Platt (w/encl)

Kevin Neilson (w/encl)

400-14

STATE OF DELAWARE  
PUBLIC SERVICE COMMISSION

DANA DEMBROW  
Service address:  
8 Lighthouse Drive  
Rehoboth Beach, DE 19971

RECEIVED  
2014 JUN 30 PM 11:00  
DELAWARE P.S.C.  
PSC Complaint Docket No. 400-14

Hearing Examiner Mark Lawrence

v.

TIDEWATER UTILITIES, INC.  
1500 Ronson Road  
Iselin, New Jersey 08830-2049

DR  
Alisa  
Jury  
go  
Kevin  
All Comd

**AMENDED COMPLAINT**

Comes now complainant Dana Dembrow, who files the instant formal Complaint against Tidewater Utilities, Inc., (Tidewater) pursuant to Rule 15 of the Rules of Practice and Procedure of the Delaware Public Service Commission, by stating as follows:

1. Complaint's name is Dana Dembrow; mailing address 1226 Canterbury Dr., Sykesville, MD 21784-9500; e-mail [DanaDembrow@aol.com](mailto:DanaDembrow@aol.com); daytime telephone number 410-767-3524, home telephone number 410-795-1502; FAX No. 410-333-0890.

2. This Complaint concerns a billing dispute with Tidewater Utilities, Inc., (Tidewater), 1500 Ronson Road, Iselin, New Jersey 08830-2049, telephone no. 1-877-720-9272, regarding Tidewater's account no. 6094010000.

3. Complainant is and has been for more than the past fifteen (15) years a property owner of the aforesaid address in Sussex County, Delaware and as such is required to be and has been a customer of Tidewater for that period of time, during which his quarterly bill consistently totals approximately \$75 per quarter.

4. For the billing period occurring from October 2013 through January 2014, complainant received a bill for \$1,825.20.

5. Complaint's water service at the subject address was completely shut off for the entire 2013-2014 winter

6. Complainant disputes liability for the aforesaid bill and hereby challenges the accuracy of the bill, the legal entitlement of Tidewater to impose such liability, and the propriety of waiver of liability in part due to the occurrence of unforeseen circumstances beyond complaint's control and without cause or contribution by complainant, and in the presence of negligence on the party of Tidewater.

7. On multiple occasions after receiving notice of the instant dispute and having actual knowledge of the same, Tidewater continued to threaten to shut off complainant's ~~water service and continued to send to complainant written notices of termination of~~ service for non-payment, all in specific violation of Sec. 2.5.3.2 of the Minimum Standards Governing Service Provided by Public Water Companies (Standards).

8. Tidewater failed to maintain test records on the meter governing the provision of water service to complainant and failed to maintain test records as required by Standards Sec. 2.6.4.

9. In violation of Standards Sec. 3.5.11.2, the water pressure delivered by Tidewater to complaint's address was in excess of 100 psig, which caused or contributed to the bursting of complainant's water service pipe.

10. The meter placed in service by Tidewater at complainant's address over-registered the passage of water through such meter, in violation of Standards Sec. 3.10.1.1.

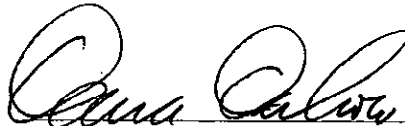
11. The accuracy of the testing of the meter placed by Tidewater into service at complainant's address was deficient in that it had an overall error exceeding 0.3% and the

testing equipment used to determine the accuracy of such meter was not in compliance with the requirements of Sec. 4.2 of the Standards.

12. In violation of Sec. 6.1.5 of the Standards, complainant was not informed of the method of meter reading at his address served by Tidewater.

13. The billing statements provided to complainant by Tidewater were not in compliance with the requirements of Sec. 6.2 of the Standards in that they failed to state the correct previous and current meter readings and were otherwise deficient during the period for which Tidewater seeks to impose upon complainant a charge of \$1,825.20.

14. The relief requested by Complaint is a determination of waiver of liability of the entirety of Tidewater's bill for water service from October 2013 through January 2014 except for the usual charge of approximately \$75.00.



Dana Dembrow  
Complainant  
1226 Canterbury Drive  
Sykesville, MD 21784-9500  
Telephone: (410) 795-1502

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Complaint was mailed, <sup>e-</sup> ~~first class~~ postage prepaid, this 19<sup>th</sup> day of June, 2014 to Tidewater Utilities, Inc., c/o William Denman, Esq., Parkowski, Guerke & Swayze, 116 West Water St., PO Box 598, Dover, DE 19903.



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Complainant  
1226 Canterbury Drive  
Sykesville, MD 21784-9500  
Telephone: (410) 795-1502